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Mastering Fundamental Rights: A Complete FAQ Guide for CLAT PG

Hanspal Bakul · 29 Oct 2026

Part III of the Indian Constitution, encompassing Articles 12 to 35, is widely regarded as the Magna Carta of India. For CLAT PG aspirants, Fundamental Rights form the absolute bedrock of the Constitutional Law syllabus. This is a complete FAQ Guide for CLAT PG.

Year after year, the Consortium of NLUs tests candidates heavily on recent landmark judgments, evolving interpretations, and the structural nuances of these rights.

This blog post is designed as an interactive FAQ manual. It compiles 50 highly relevant multiple-choice questions (MCQs) structured to mirror the exact standard of the CLAT PG examination. Each question is immediately followed by its options and the correct answer to facilitate quick revision and self-assessment.

50 Frequently Asked Questions & MCQs

Q1. Which Article of the Indian Constitution defines the term 'State' for the purpose of Part III?

- A) Article 11
- B) Article 12
- C) Article 13
- D) Article 14

Answer: B

Q2. In which landmark case did the Supreme Court hold that Electricity Boards, Cooperative Societies, and Universities can fall under the definition of 'State'?

- A) Rajasthan Electricity Board v. Mohan Lal
- B) Sukhdev Singh v. Bhagatram
- C) Ajay Hasia v. Khalid Mujib Sehravardi

D) Raman Dayaram Shetty v. International Airport Authority of India

Answer: A

Q3. The test of "Deep and Pervasive State Control" to determine if a body is an instrumentality of the State was concretely formulated in which case?

A) Sabhajit Tewary v. Union of India

B) Ajay Hasia v. Khalid Mujib Sehravardi

C) Pradeep Kumar Biswas v. Indian Institute of Chemical Biology

D) Zee Telefilms Ltd. v. Union of India

Answer: B

Q4. Can the Judiciary be considered 'State' under Article 12 when performing its judicial functions?

A) Yes, always

B) No, it can never be considered State

C) No, judicial functions are excluded, but administrative functions can fall under Article 12

D) Only when explicitly ordered by the President

Answer: C

Q5. Which clause of Article 13 declares that all laws in force in India immediately before the commencement of the Constitution, in so far as they are inconsistent with Part III, shall be void?

A) Article 13(1)

B) Article 13(2)

C) Article 13(3)

D) Article 13(4)

Answer: A

Q6. The Doctrine of Severability means that:

A) The entire statute becomes void if a part is unconstitutional

- B) Only the offending or unconstitutional part of the statute is declared void, leaving the rest valid
- C) The state can sever its ties with international laws
- D) Fundamental rights can be severed during emergencies

Answer: B

Q7. In which case was the "Doctrine of Eclipse" first formally applied to pre-constitutional laws?

- A) State of Bombay v. F.N. Balsara
- B) Bhikaji Narain Dhakras v. State of M.P.
- C) Deep Chand v. State of U.P.
- D) Keshavan Madhava Menon v. State of Bombay

Answer: B

Q8. Can a citizen of India waive their Fundamental Rights?

- A) Yes, under exceptional circumstances
- B) Yes, with the prior permission of the Supreme Court
- C) No, the Doctrine of Waiver does not apply to Fundamental Rights in India
- D) Yes, if it is in the commercial interest of the state

Answer: C

Q9. Which case established that the Doctrine of Waiver is not applicable to Fundamental Rights in India?

- A) Basheshar Nath v. CIT
- B) Behram Khurshed Pesikaka v. State of Bombay
- C) State of West Bengal v. Anwar Ali Sarkar
- D) Both A and B

Answer: D

Q10. Are Constitutional Amendments considered 'law' under Article 13(2) as per the current settled position?

- A) Yes, all amendments are subject to Article 13(2)
- B) No, Article 13(4) explicitly excludes amendments made under Article 368
- C) Only if they violate the preamble
- D) Only if passed by a simple majority

Answer: B

Q11. The conceptual shift from the "traditional formal approach" to the "dynamic approach" of Article 14 (conceptualizing equality as anti-arbitrariness) was pioneered in:

- A) E.P. Royappa v. State of Tamil Nadu
- B) Maneka Gandhi v. Union of India
- C) Ram Krishna Dalmia v. Justice Tendolkar
- D) Air India v. Nergesh Meerza

Answer: A

Q12. Article 14 permits "reasonable classification" but prohibits "class legislation". The two-fold test for reasonable classification requires:

- A) Intelligible differentia and rational nexus
- B) Arbitrary power and public purpose
- C) Natural justice and absolute equality
- D) Proportionality and standard procedures

Answer: A

Q13. In which case did the Supreme Court striking down Section 377 of the IPC apply the principle that Article 14 targets manifest arbitrariness?

- A) Navtej Singh Johar v. Union of India
- B) Joseph Shine v. Union of India
- C) Shayara Bano v. Union of India
- D) Independent Thought v. Union of India

Answer: A

Q14. Article 15(1) prohibits discrimination against any citizen on grounds *only* of:

- A) Religion, race, caste, sex, place of birth or any of them
- B) Religion, race, caste, sex, descent, place of birth, residence
- C) Religion, race, caste, language, sex
- D) Religion, race, caste, creed, gender, economic status

Answer: A

Q15. Which amendment added Clause (6) to Article 15 and Article 16, enabling reservation for Economically Weaker Sections (EWS)?

- A) 101st Constitutional Amendment Act
- B) 102nd Constitutional Amendment Act
- C) 103rd Constitutional Amendment Act
- D) 104th Constitutional Amendment Act

Answer: C

Q16. The landmark judgment upholding the validity of the 103rd Constitutional Amendment (EWS Reservation) is:

- A) Janhit Abhiyan v. Union of India
- B) Jaishri Laxmanrao Patil v. Chief Minister, Maharashtra
- C) Jarnail Singh v. Lachhmi Narain Gupta
- D) M. Nagaraj v. Union of India

Answer: A

Q17. Article 16(4) empowers the State to make provisions for reservation in appointments in favour of any backward class of citizens if:

- A) They are economically backward
- B) They are not adequately represented in the services under the State

- C) They belong exclusively to rural areas
- D) They are physically challenged

Answer: B

Q18. In which case did the Supreme Court rule that total reservations should not exceed the 50% limit unless there are exceptional circumstances?

- A) Indra Sawhney v. Union of India
- B) T. Devadasan v. Union of India
- C) Balaji v. State of Mysore
- D) State of Kerala v. N.M. Thomas

Answer: A

Q19. The "Catch-up Rule" and "Consequential Seniority" are legal concepts relating to which Article?

- A) Article 16(4A)
- B) Article 15(4)
- C) Article 16(4B)
- D) Article 19(1)(g)

Answer: A

Q20. Article 17 of the Constitution of India:

- A) Abolishes untouchability and prohibits its practice in any form
- B) Is enforceable only against the State
- C) Can be suspended during a National Emergency
- D) Provides a definition for the term 'Untouchability'

Answer: A

Q21. Under Article 18, who among the following is prohibited from accepting any title from any foreign State?

- A) Only citizens of India
- B) Any person holding any office of profit or trust under the State
- C) Foreigners employed in private corporations in India
- D) Both A and B

Answer: D

Q22. How many freedoms are currently guaranteed under Article 19(1) of the Indian Constitution?

- A) Five
- B) Six
- C) Seven
- D) Eight

Answer: B

Q23. Which freedom under Article 19(1) was omitted by the 44th Constitutional Amendment Act, 1978?

- A) Right to form associations
- B) Right to move freely throughout the territory of India
- C) Right to acquire, hold and dispose of property
- D) Right to practice any profession

Answer: C

Q24. The right to freedom of speech and expression under Article 19(1)(a) includes:

- A) Right to silence
- B) Right to broadcast information
- C) Right to know/access information
- D) All of the above

Answer: D

Q25. Freedom of speech and expression can be restricted under Article 19(2) on which of the following grounds?

- A) Public interest and general morality
- B) Sovereignty and integrity of India, security of the State, public order, decency or morality
- C) Administrative convenience
- D) Economic well-being of the nation

Answer: B

Q26. In *Shreya Singhal v. Union of India*, the Supreme Court struck down which section of the Information Technology Act for violating Article 19(1)(a)?

- A) Section 66A
- B) Section 69
- C) Section 79
- D) Section 43

Answer: A

Q27. The right to form associations or unions or co-operative societies is protected under:

- A) Article 19(1)(b)
- B) Article 19(1)(c)
- C) Article 19(1)(d)
- D) Article 19(1)(e)

Answer: B

Q28. Article 20(1) protects individuals against:

- A) Double jeopardy
- B) Ex-post facto laws
- C) Self-incrimination
- D) Arbitrary detention

Answer: B

Q29. The protection against "Double Jeopardy" in Article 20(2) means that:

- A) No person shall be prosecuted and punished for the same offence more than once
- B) No person shall be accused of an offence twice
- C) A person cannot be tried by a civil and criminal court simultaneously
- D) An administrative inquiry cannot follow a judicial trial

Answer: A

Q30. In which case did the Supreme Court hold that compulsory administration of narco-analysis, polygraph tests, and BEAP violates Article 20(3) and Article 21?

- A) Selvi v. State of Karnataka
- B) Kathi Kalu Oghad v. State of Bombay
- C) Mp Sharma v. Satish Chandra
- D) D.K. Basu v. State of West Bengal

Answer: A

Q31. Article 21 guarantees the right to life and personal liberty. This right is available to:

- A) Citizens only
- B) Citizens and foreigners alike
- C) Legal entities like corporations only
- D) Citizens residing abroad only

Answer: B

Q32. In which case did the Supreme Court overrule A.K. Gopalan v. State of Madras and expand the scope of Article 21 by introducing the concept of "due process of law"?

- A) Kharak Singh v. State of U.P.
- B) Maneka Gandhi v. Union of India
- C) Kesavananda Bharati v. State of Kerala

D) Minerva Mills v. Union of India

Answer: B

Q33. The right to privacy was declared a fundamental right under Article 21 by a nine-judge bench in:

- A) K.S. Puttaswamy v. Union of India
- B) Anuradha Bhasin v. Union of India
- C) Navtej Singh Johar v. Union of India
- D) Common Cause v. Union of India

Answer: A

Q34. Right to Education was inserted as Article 21A into the Constitution by which amendment?

- A) 44th Amendment Act
- B) 86th Amendment Act
- C) 91st Amendment Act
- D) 93rd Amendment Act

Answer: B

Q35. Article 22 provides protection against arrest and detention in certain cases. Which clause states that no person arrested shall be detained in custody without being informed of the grounds for such arrest?

- A) Article 22(1)
- B) Article 22(2)
- C) Article 22(3)
- D) Article 22(4)

Answer: A

Q36. A person arrested and detained in custody must be produced before the nearest magistrate within a period of:

- A) 12 hours excluding journey time
- B) 24 hours including journey time
- C) 24 hours excluding journey time
- D) 48 hours excluding journey time

Answer: C

Q37. Article 23 of the Constitution prohibits:

- A) Employment of children in factories
- B) Traffic in human beings and begar
- C) Forced labor only during wartime
- D) Untouchability practices

Answer: B

Q38. Article 24 prohibits the employment of children below the age of _____ years in any factory or mine or engaged in any other hazardous employment.

- A) 12
- B) 14
- C) 16
- D) 18

Answer: B

Q39. Freedom of conscience and free profession, practice, and propagation of religion under Article 25 is subject to:

- A) Public order, morality, and health
- B) Other provisions of Part III of the Constitution
- C) Absolute autonomy of the religious head
- D) Both A and B

Answer: D

Q40. The Supreme Court judgment allowing entry of women of all ages into the Sabarimala temple is:

- A) Indian Young Lawyers Association v. State of Kerala
- B) Shayara Bano v. Union of India
- C) Goolrookh Gupta v. Burjor Pardiwala
- D) Sarla Mudgal v. Union of India

Answer: A

Q41. Article 26 guarantees the freedom to manage religious affairs. This right is available to:

- A) Individual citizens only
- B) Every religious denomination or any section thereof
- C) Minorities only
- D) Majoritarian religious institutions only

Answer: B

Q42. Which Article prohibits the state from compelling any person to pay taxes for the promotion or maintenance of any particular religion?

- A) Article 25
- B) Article 26
- C) Article 27
- D) Article 28

Answer: C

Q43. Article 29(1) protects the right of "any section of the citizens" to conserve their distinct:

- A) Religion, race, and caste
- B) Language, script, or culture
- C) Political ideology and opinions
- D) Educational and economic status

Answer: B

Q44. Article 30 guarantees the right of minorities to establish and administer educational institutions. Minorities are recognized on the basis of:

- A) Religion or language
- B) Race or domicile
- C) Economic backwardness
- D) Caste or race

Answer: A

Q45. In which case did an 11-judge bench layout comprehensive guidelines regarding the rights of minority educational institutions and state regulation?

- A) TMA Pai Foundation v. State of Karnataka
- B) In re Kerala Education Bill
- C) St. Stephen's College v. University of Delhi
- D) P.A. Inamdar v. State of Maharashtra

Answer: A

Q46. Dr. B.R. Ambedkar termed which Article as the "Heart and Soul of the Constitution"?

- A) Article 14
- B) Article 19
- C) Article 21
- D) Article 32

Answer: D

Q47. Match the correct writ used to command a public authority to perform a statutory duty they have failed to execute:

- A) Habeas Corpus
- B) Mandamus

C) Quo Warranto

D) Certiorari

Answer: B

Q48. The writ of Certiorari can be issued against:

A) Inferior courts and quasi-judicial tribunals

B) Private individuals only

C) The Legislature for enacting arbitrary laws

D) The Governor of a State

Answer: A

Q49. Article 33 empowers whom to modify the application of Fundamental Rights to the members of the Armed Forces or Police Forces?

A) The President of India

B) The Parliament

C) The Supreme Court

D) The State Legislature

Answer: B

Q50. Fundamental Rights guaranteed under Article 19 are automatically suspended when a National Emergency is proclaimed under Article 352 on the ground of:

A) War or external aggression

B) Armed rebellion

C) Internal disturbance

D) Financial crisis

Answer: A

A solid grasp of Fundamental Rights is non-negotiable for cracking the CLAT PG exam. Beyond memorizing the articles verbatim, your preparation must focus heavily on the underlying

doctrines (Eclipse, Severability, Proportionality) and dynamic judicial trends.

Keep an eye out for emerging constitutional challenges, especially concerning digital rights, privacy exceptions, and reservations, as these conceptual cross-roads form the basis of the comprehension passages in the actual examination. Good luck with your preparation!